

**[SEQ CHAPTER \h \r 1]Indiana and EPA Rule and SIP Call Notes
December 15, 2016**

Participants

EPA: Douglas Aburano, Sarah Arra, Michelle Becker, Kathleen D'Agostino, Paymon Danesh, Edward Doty, Charles Hatten, Joseph Ko, Michael Langman, Jennifer Liljegren, Anthony Maietta, Christos Panos, Mary Portanova, Matthew Rau, Randall Robinson, Steve Rosenthal, John Summerhays, Eric Svingen

IDEM: Lauren Aguilar, Susan Bem, Jean Boling, Brian Callahan, Scott Deloney, Gale Ferris, Jack Harmon, Chris Pedersen, Doug Wagner, Keelyn Walsh

Updates

SO₂ Implementation and Data Requirements Rule -

The public comment period for the Carmeuse Lime, Inc. Commissioner's Order ends December 21st. Request for a public hearing must be submitted on or before December 16th. (No public comments or request for hearing have been received at this time.)

Dearborn County (Lawrenceburg Township) PM_{2.5} -

EPA is in the process of drafting the approval notice for the redesignation petition and maintenance plan. EPA is anticipating that the notice will be signed this month and published in the Federal Register soon thereafter.

2012 PM_{2.5} Transport Provision of ISIP -

An interstate transport analysis that supports Indiana's fulfillment of Section 110(a)(2)(D)(i)(I) (Prong 1 and 2) and (ii) (Prong 4) requirements was sent to EPA for preliminary review/comment. EPA will be providing any comments/concerns it has in the near future.

Delaware County (Muncie, IN) Lead -

EPA has completed its revisions to the approval notice for the redesignation petition and maintenance plan and submitted them to regional council for review/approval. Regional council review should be completed soon and the notice of approval should be signed and published in the Federal Register soon thereafter.

Dearborn County (Lawrenceburg Township) Ozone -

The proposed approval has been signed and should be published in the Federal Register within in the next 3 weeks or so.

Lake and Porter Counties Ozone (attainment demonstration, 15% plan, 3% contingency plan, NO_x RACT) -

Rob Kaleel will be sending LADCO's Modeling Demonstration for the 2008 National Ambient Air Quality Standard for the Lake Michigan Region, Technical Support Document to EPA today for preliminary review/comment. Indiana is anticipating that it will submit the attainment plan and 2017 Fifteen Percent and Three Percent Contingency Plan for the 2008 8-hour ozone standard for Lake and Porter counties for preliminary review/comment tomorrow.

2015 Ozone Designations -

IDEM asked EPA how it will address planning requirements under the 2008 and 2015 standards for Lake and Porter counties given the possible outcomes at the end of the 2017 ozone season.

What are the options for revoking the 2008 standard? Would EPA apply the most stringent requirements if an area is designated nonattainment under both 2008 and 2015 standards? EPA stated that they are taking comment on two proposed options in transitioning from the 2008 standard to the 2015 standard and anti-

backsliding requirements as outlined in the proposed implementation rule. The first option is consistent with the approach for revoking the 1997 standard. EPA would revoke the 2008 standard for all areas effective one year after the effective date of designations under the 2015 standard, also establishing anti-backsliding provisions that would be promulgated for all areas that are designated nonattainment for the 2008 standard. Under the second approach, the 2008 standard would continue to apply in any area designated nonattainment for the standard until the area is redesignated to attainment with an approved 10-year maintenance plan; but in no case earlier than 1-year after the effective date of designation for the 2015 standard.

IDEM asked if there is specific timeline as to when EPA may decide to bump up areas under the 2015 standard. EPA stated that the Clean Air Act provides six months for EPA to act on a bump-up in classification.

Regarding NOx RACT, EPA also mentioned that timing is not adequate reasoning to justify a NOx RACT exemption under the 2008 or 2015 standards. EPA suggests states begin researching NOx RACT now for the 2015 standard if areas are likely to be designated moderate or above under the standard. Additional research will be needed to be conducted by LADCO and member states on a path moving forward to address the new standard based on the assumption that the area could potentially be designated moderate nonattainment or above under the standard.

Morgan County SO₂ Nonattainment Area -
No change.

SABIC/Carmeuse Commissioner's Orders for the Data Requirements Rule -
Previously discussed under Item #1

Monitoring -

The ArcelorMittal – Burns Harbor SO₂ monitor is in place and operational and began collecting last week.

The Gary IITRI PAMS monitoring site will be discontinued at the end of the year due to data collection quality assurance issues. As a result, Indiana will have one remaining PAMS monitor in its monitoring network (i.e., Washington Park, Marion County).

Other –

EPA sent a separate e-mail to Region V states with a list of bullet points on ways to improve the pre-review of SIPs before they are officially submitted. EPA welcomes states to expand on these bullets and/or add additional bullets to the list that they see fit.

Next Call (date and time)

Thursday, January 19, 2016, 9 am (Chicago), 10 am (Indianapolis)

[SEQ CHAPTER \h \r 1]**Agenda for the Rules Portion of the Rule and SIP Call**
December 15, 2016

Status of Rule SIP Submittals

Ethanol Plant Clarification (11-99)

Submitted: 9/19/11

Staff: Pedersen

Status: 12/15/16: No change since 9/22/11.

9/22/11: Received, but on hold until EPA reconsiders the ethanol source definition policy.

SO₂ Emission Limits (11-356)

Submitted: 10/2/15

Staff: Bem, Summerhays

Status: 12/15/16: No change since 11/23/15.

11/23/15: Assigned to John Summerhays.

10/22/15: Submittal received. Rule is part of attainment demonstration.

Startup, Shutdown and Malfunctions (15-326)

Submitted: 11/14/16 (parallel processing)

Staff: Harmon, Persoon

Status: 12/15/16: The approval is being drafted.

11/17/16: Submitted parallel processing request on 11/14/16.

Emission Reporting for Lawrenceburg Township, Dearborn County (16-162)

Submitted: 11/18/16

Staff: Walsh, Svingen

Status: 12/15/16: Signed as a separate action from the redesignation request.

11/18/16: SIP submittal sent to EPA.

6/1/16: OAQ staff submitted Section 8 Notice and requested parallel processing.

2015 CFR Update (16-208)

Submitted: 12/13/16

Staff: Walsh

Status: 12/15/16: Submittal received electronically.

12/13/16: SIP submittal sent to EPA.

Indiana Rules in Process

Asbestos (09-363)

Staff: Pedersen

Status: 12/15/16: No change since 10/22/15.

10/22/15: Jack Harmon working with program staff on draft rule language.

9/17/15: No change since 11/14/13.

11/14/13: Shadi Khoury resigned; rule will be reassigned.

9/19/13: No change.

8/22/13: Waiting on program staff input.

7/8/13: Rule reassigned to Shadi Khoury.

6/20/13: No change since 6/21/12.

6/21/12: IDEM working on draft.

5/17/12: No change since 9/22/11.
 9/22/11: Waiting on legal review.
 8/11/11: Preparing for internal meetings.
 6/23/11: On hold since 2/24/11, but will start again soon.
 1/20/11: Second Notice in review.
 11/18/10: Draft rule language in development since 2/17/10.
 2/17/10: Drafting rule language.
 1/20/10: No change since 11/18/09.
 11/18/09: Manda is waiting on information from IDEM staff.
 6/23/09: First Notice posted 6/3/09.

Stone Crushing SSOA (10-571)

Staff: Harmon

Status: 12/15/16: No change since 10/22/15.
 10/22/15: Jack Harmon working with program staff. Draft will be submitted to EPA for comment.
 9/17/15: No change since 5/21/15.
 5/21/15: Jack Harmon is reviewing information to start rulemaking again.
 4/16/15: No change since 6/19/14.
 6/19/14: Working internally with program staff.
 5/15/14: No change since 12/19/13.
 12/19/13: Susan Bem reviewing.
 11/14/13: Susann Brown resigned; Chris Pedersen is contact.
 9/19/13: No change.
 8/22/13: Draft rule language prepared based on calculations; being revised.
 7/18/13: No change.
 6/20/13: Susann Brown is starting to work on it.
 5/16/13: No change since 3/24/11.
 3/24/11: Working on language.
 2/24/11: No change since 10/21/10.
 10/21/10: Second Notice being drafted.
 9/30/10: First Notice published on 9/15/10.
 8/19/10: First Notice is in review.
 7/22/10: First Notice is being drafted.

Source Specific Operating Agreements (11-315)

Staff: Pedersen

Status: 12/15/16: No change since 2/20/14.
 2/20/14: Susann Brown resigned; Chris Pedersen is contact.
 9/19/13: No change.
 6/20/13: Susann Brown is starting to work on it.
 5/16/13: No change since 6/23/11.
 6/23/11: First Notice published 6/1/11.
 5/26/11: First Notice scheduled for June 2011.

Permit By Rule (11-316)

Staff: Pedersen

Status: 12/15/16: No change since 2/20/14.
 2/20/14: Susann Brown resigned; Chris Pedersen is contact.
 9/19/13: No change.
 6/20/13: Susann Brown is starting to work on it.

5/16/13: No change since 6/23/11.
 6/23/11: First Notice published 6/1/11.
 5/26/11: First Notice scheduled for June 2011.

Startup, Shutdown, and Malfunctions (15-326)

Staff: Harmon

Status: 12/15/16: No change.

11/17/16: Final adopted 11/9/16; in promulgation process. Parallel processing request submitted 11/14/16.

10/20/16: No change.

9/15/16: Preliminarily adopted 8/10/16; final adoption scheduled for 11/9/16. Will send parallel processing request after final adoption hearing.

7/21/16: Preliminary adoption scheduled for 8/10/16; final adoption likely to be 11/9/16. SIP Call deadline is 11/22/16, so parallel processing request may be needed. Discuss on next month's call.

6/16/16: No change.

5/19/16: Preliminary adoption scheduled for 8/10/16.

4/21/16: No change.

3/17/16: Second Notice publishes 3/30/16. EPA will respond on approval of language.

2/18/16: Jack Harmon provided clarifications to Mary Portanova. Mary said it is ok to proceed. Jack will let Mary know the anticipated status of the rulemaking for November as soon as it can be predicted.

1/25/16: Second Notice in review. Will send to Mary Portanova after internal review.

12/17/15: IDEM will send draft rule language to Mary Portanova for review when ready.

11/23/15: First Notice published on 9/30/15. Drafting Second Notice.

NOx Emissions from Large Affected Units (15-414)

Staff: Harmon

Status: 12/15/16: Finalizing response to comments.

11/17/16: No change since 9/15/16.

9/15/16: Clarifying draft language.

8/18/16: Will send draft rule language to Doug Aburano within 2 to 3 weeks for review.

7/21/16: Draft Second Notice being reviewed by program staff.

6/16/16: No change.

4/21/16: Internal meetings; Second Notice being drafted.

3/17/16: No change since 1/25/16.

1/25/16: Comments received, drafting Second Notice.

12/17/15: First Notice published 12/9/15. Copy will be sent to Doug Aburano.

11/23/15: Approved by OMB. First Notice should publish soon.

Volatile Organic Liquid Storage Tanks (15-427)

Staff: Harmon

Status: 12/15/16: No change since 9/15/16.

9/15/16: In internal review.

8/18/16: Draft should be ready for Steve Rosenthal review in a few weeks.

7/21/16: Second Notice being drafted with help of Betsy Zlatos. Send copy of Second Notice to Steve Rosenthal after internal review.

6/16/16: No change since 2/18/16.

2/18/16: Second Notice still being drafted. The draft will be sent to EPA for review when ready.

1/25/16: No comments; Second Notice being drafted. Copy to Steve Rosenthal after internal review.

12/17/15: First Notice published 12/16/15.

11/23/15: Waiting for OMB approval to proceed with First Notice.

2015 CFR Update (16-208)

Staff: Walsh

Status: 12/15/16: Completed; effective 11/25/16.

11/17/16: No change.

10/20/16: Rule in promulgation process.

9/15/16: Promulgation package sent to Attorney General on 9/13/16. Should be ready for submittal in December.

8/18/16: Adopted 8/10/16. SIP submittal to be sent after promulgation.

7/21/16: No change since 5/19/16.

5/19/16: Section 8 Notice to publish 5/25/16. Adoption scheduled for 8/10/16.

4/21/16: No change.

3/17/16: At OMB for review.

2/18/16: No change.

1/25/16: Draft notice in review.

12/17/15: No change.

11/23/15: Drafting Section 8 Notice for OMB submittal.

Cross State Air Pollution Rule (CSAPR) (16-209)

Staff: Aguilar

Status: 12/15/16: Second Notice approved and submitted for publication. Lauren Aguilar will send copy of the draft notice to Sarah Arra and Eric Svingen.

11/17/16: CSAPR Update rule published 10/26/16. Draft Second Notice in review.

10/20/16: CSAPR Update rule released, but not published. Continuing work on Second Notice.

9/15/16: Second Notice tentatively to be ready in November.

8/18/16: No changes.

7/21/16: Second Notice should be drafted by October or November.

6/16/16: Meeting with affected sources in mid-July.

5/19/16: First Notice to publish 6/1/16.

5/16/16: OMB approval to proceed.

Short-Term Backup Units (16-309)

Staff: Harmon

Status: 12/15/16: No change since 9/15/16.

9/15/16: Starting to draft rule language.

8/18/16: Comment period ends 8/19/16. One supporting comment received.

7/21/16: First Notice published on 7/20/16.

6/16/16: First Notice sent to OMB today.

5/19/16: Internal discussions. Michael Langman will be contact.

4/21/16: Work beginning on First Notice draft.

Outdoor Hydronic Heaters (16-332)

Staff: Walsh

Status: 12/15/16: No change since 10/20/16.

10/20/16: Drafting Second Notice.

9/15/16: No comments received to date.

8/18/16: First Notice published 8/17/16 for comment.

7/21/16: Submitted to OMB on 6/29/16.

6/16/16: No change.

5/19/16: First Notice being drafted.

4/21/16: Approved to start rule to address 3/16/15 NSPS and existing rule amendments.

2015 Ozone Standard (16-529)

Staff: Walsh

Status: 12/15/16: Section 8 Notice published and in comment period.

11/17/16: No change since 8/18/16.

8/18/16: At OMB for approval.

7/21/16: Draft Section 8 Notice in review.

6/16/16: Drafting Section 8 Notice.

Commercial and Industrial Solid Waste Incineration (CISWI) (xx-xxx)

Staff: Harmon

Status: 12/15/16: No change since 8/18/16.

8/18/16: Making revisions.

7/21/16: No change since 5/19/16.

5/19/16: Incorporated EPA comments. Waiting on publication of new EPA rule.

4/21/16: Section 8 Notice drafted. Waiting to see if EPA makes additional changes by end of April.

3/17/16: With program staff for review.

2/18/16: No change.

1/25/16: Drafting notice and holding internal meeting.

NIPSCO Consent Decree Requirements (xx-xxx)

Staff: Reiss

Status: 12/15/16: No change since 9/15/16.

9/15/16: Meeting with EPA and NIPSCO on force majeure language.

8/18/16: No change.

7/21/16: NIPSCO wants to meet with EPA and IDEM about issues, including force majeure language.

6/16/16: Three more issues to finalize before notice can be reviewed and go to OMB.

5/19/16: No change.

4/21/16: Revised draft sent back to NIPSCO attorney.

3/17/16: Reviewing comments from source attorney.

2/18/16: NIPSCO attorney to provide comments by end of February.

1/25/16: Comments from NIPSCO due by end of January.

12/17/15: No change.

11/23/15: Preparing OMB submittal.

State Plan Submittals

Lead NESHAP Delegation

Submitted: 1/8/14

Staff: Bem

Status:

Non-Rule SIP Submittals

Pollutant	Activity		Status
CO	Nothing to report.		
Lead	Redesignation of Muncie-area, Delaware County, nonattainment area.		Redesignation petition and maintenance plan submitted April 14, 2016.
Nitrogen Dioxide	Nothing to report.		
Ozone	Redesignations		
		Lake/Porter Counties	Redesignation petition and maintenance plan submitted June 15, 2016. Based on partial/preliminary ozone monitoring data for 2016, the three year design value (2014-2016) for the Chiwaukee, WI monitor is above the 2008 standard. IDEM is in the initial stages of preparing an attainment demonstration and technical support document, including, 15% rate of progress plan, and 3% contingency plan for Lake and Porter counties.
		Lawrenceburg Township (Dearborn County)	Redesignation petition and maintenance plan submitted February 23, 2016. Supplement to recharacterize 2014 emissions inventory to include actual EGU and non-point emissions of point source category submitted May 4, 2016. Final rulemaking for revision to Emissions Reporting Rule, LSA Document #16-162, published in the Indiana Register on November 17, 2016. Letter requesting approval of the revisions to the rule submitted to EPA on November 18, 2016.
	2015 Standard Infrastructure SIP		Due to EPA on or before October 1, 2018.
	2015 Standard Designation Recommendations		Designation recommendations submitted September 16, 2016.
Sulfur Dioxide	Round 1 Nonattainment Areas		Attainment demonstration submitted October 2, 2015; completeness letter received from EPA on February 25, 2016. Technical addendum for revisions to Indiana's State Implementation Plan for SO ₂ and attainment demonstration to incorporate changes to Rolls Royce within the Marion County nonattainment area was submitted May 2, 2016.
	Round 2 Designations (consent decree) Gibson, Rockport, Michigan City, Clifty Creek, and A.B. Brown generating stations		EPA designated Gibson, Jefferson (partial), LaPorte, Posey (partial), and Spencer (partial) counties as unclassifiable/attainment for the 2010 primary 1-hour SO ₂ standard as published in the <i>Federal Register (FR)</i> on July 12, 2016 (81 FR 45039).
	Redesignation of Clay and Washington Townships (Morgan County), nonattainment area.		Further discussions needed to address EPA's comments/concerns regarding the preliminary redesignation petition and maintenance plan.
	Rounds 3 and 4 Designations (Data Requirements Rule) Carmeuse Lime, Inc. and SABIC Innovative Plastics		Indiana's modeling and monitoring protocol submitted June 30, 2016. Modeling analyses of federally permanent/enforceable emission limits and compliance due by January 13, 2017. Commissioner's Order to establish permanent and enforceable SO ₂ emission limits for SABIC Innovative Plastic in order to ensure continued attainment of the 1-hour SO ₂ standard submitted to EPA for review and approval on December 5, 2016. Commissioner's Order to establish permanent and enforceable SO ₂ emission limits for Carmeuse Lime, Inc. in order to ensure continued attainment of the 1-hour SO ₂ standard submitted to EPA for parallel processing on November 18, 2016.
	Lawrenceburg Township (part of Cincinnati NA area) Redesignations		EPA's proposed approval of the RACM/RACT analysis published in the Federal Register on August 25, 2016 (81 FR 58402). The rule will be effective on October 24, 2016, unless EPA receives adverse comments by September 26, 2016. Revised draft redesignation petition and maintenance plan completed. Public comment ended August 15, 2016. No public comments were received. Redesignation petition and maintenance plan submitted to EPA for review/approval on August 19, 2016.
Particulates	2012 Standard Infrastructure SIP		Infrastructure SIP submitted June 10, 2016. An interstate transport analysis that supports Indiana's fulfillment of Section 110(a)(2)(D)(i)(I) (Prong 1 and 2) and (ii) (Prong 4) requirements submitted to EPA for preliminary review/comment on November 17, 2016.
	Five-Year Progress Report		Five-year progress report submitted March 30, 2016.

cc: Lauren Aguilar, Keith Baugues, Susan Bem, Jean Boling, Brian Callahan, Carol Comer, Scott Deloney, Mark Derf, Gale Ferris, Jack Harmon, Nancy King, Chris Pedersen, Bruno Pigott, Jessica Reiss, Shawn Seals, Don Snemis, Valerie Tachtiris, Doug Wagner, Keelyn Walsh, Betsy Zlatos, Doug Aburano (EPA Region V), Pam Blakley (EPA Region V), Louise Gross (EPA Region V), Chris Panos (EPA Region V), Steve Rosenthal (EPA Region V)